ATTORNEY'S DOCKET NUMBER U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMENCE FORM PTO-1390 (Modified) REV. 07-2004) 261089US0XPCT TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/FR03/01328 28 APRIL 2003 30 APRIL 2002 TITLE OF INVENTION GENE BANK OF THE CYANOPHAGE S-2L AND FUNCTIONAL ANALYSIS APPLICANT(S) FOR DO/EO/US Philippe MARLIERE, et al. Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.  $\boxtimes$ This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 2. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5),  $\boxtimes$ 3. (6), (9) and (24) indicated below. 4.  $\boxtimes$ The US has been elected (Article 31).  $\boxtimes$ A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) 5. is attached hereto (required only if not communicated by the International Bureau). a. 🔲 b. 🛛 has been communicated by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). c. 🗆 An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).  $\boxtimes$ a. 🛛 is attached hereto. has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) 7. are attached hereto (required only if not communicated by the International Bureau). а. П b. 🗆 have been communicated by the International Bureau. c. 🗆 have not been made; however, the time limit for making such amendments has NOT expired. d. 🖾 have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 8.  $\Box$ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). An English language translation of the annexes to the International Preliminary Examination Report under PCT 10. Article 36 (35 U.S.C. 371 (c)(5)). 11. A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12.  $\boxtimes$ A copy of the International Search Report (PCT/ISA/210). Items 13 to 23 below concern document(s) or information included: X An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 13. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 14. 15. A FIRST preliminary amendment. A SECOND or SUBSEQUENT preliminary amendment. 16. 17. A substitute specification. 18. A power of attorney and/or change of address letter. 19. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. Express Mail Label No. 23.  $\boxtimes$ Other items or information: PTO-1449 **Application Data Sheet Notice of Priority** Cited References (7) Drawings (5 Sheet) Sequence Listing (359 Pages)

PCTUS1/REV04

U.S. A	U.S. APPLICATION NO (if known, see 37 CFR 1.5)  10/510953  INTERNATIONAL APPLICATION NO. PCT/FR03/01328									ATTORNEY'S DOCKET NUMBE 261089US0XPCT						
24. The following fees are submitted:.  BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):  Neither international preliminary examination fee (37 CFR 1.482) nor												CA	LCULATION	S	PTO USE ONLY	
international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO																
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Surcha month	arge of s from	\$130.0 the ear	0 for furnis liest claime	hing tl d prio	he oath or	r decla (37 CF	ration lat R 1.492	ter than (e)).	☐ 2e	0	⊠ 30			\$130.00		-
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Total o			85 - 20 =			65			x				\$1,170.00 \$704.00	_		
	Independent claims 11 -										\$88.00		-	\$300.00	┞	· -
Multip	Multiple Dependent Claims (check if applicable).  TOTAL OF ABOVE CALCULATIONS =											_	<u> </u>	\$3,254.00		
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.																
	SUBTOTAL =											=		\$3,254.00		
Proces month	Processing fee of \$130.00 for furnishing the English translation later than 20 30 nonths from the earliest claimed priority date (37 CFR 1.492(f)).													\$0.00		
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Fee for	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).													\$0.00		·
	TOTAL FEES ENCLOSED =											=		\$3,254.00		
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b.		Pleas	se charge m	у Дер	osit Acco	unt No	). ——	<del></del>	_ in the ame	ount	ot			to cover t	he a	above fees.
c.	c. The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No15-0030															
d.																
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.																
SEND ALL CORRESPONDENCE TO:  Corwin Paul Umbach																
Custo	Customer No.: 22850 SIGNATURE												L Y	aux L	m	<u>vacn</u>
Norman F. O											F. O	blon				
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DATE																

DOCKET NO.: 261089US0XPCT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Philippe MARLIERE, et al.

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/FR03/01328

INTERNATIONAL FILING DATE: April 28, 2003

FOR: GENE BANK OF THE CYANOPHAGE S-2L AND FUNCTIONAL ANALYSIS

## REQUEST FOR PRIORITY UNDER 35 U.S.C. 119 AND THE INTERNATIONAL CONVENTION

Commissioner for Patents Alexandria, Virginia 22313

Sir:

In the matter of the above-identified application for patent, notice is hereby given that the applicant claims as priority:

**COUNTRY** 

**APPLICATION NO** 

**DAY/MONTH/YEAR** 

30 April 2002

France 02 0542

Certified copies of the corresponding Convention application(s) were submitted to the International Bureau in PCT Application No. PCT/FR03/01328.

Respectfully submitted, OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

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